

FILED

JAN 22 2008

**U. S. DISTRICT COURT
EASTERN DISTRICT OF MO**

United States District Court

for

Eastern District of Missouri

First Amended Petition for Warrant for Offender Under Supervision

Name of Offender: John Robert Andis

Case Number: 4:00CR00347 SNL

Name of Sentencing Judicial Officer: The Honorable Stephen N. Limbaugh, Senior U.S. District Judge

Date of Original Sentence: January 10, 2001

Original Offense: Count Two: Transportation of Minors

Original Sentence: 18 month(s) prison, 36 month(s) supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: 11/2/2001

Expiration Date: 11/1/2004

Assistant U.S. Attorney: Carrie Costantin

Defense Attorney: Janis Good

PETITIONING THE COURT

☒ To issue a warrant
☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number

Nature of Noncompliance

Condition No. 1: The defendant shall not leave the judicial district without the permission of the court or probation officer.

General Condition: The defendant shall not commit another federal, state, or local crime, and,

Condition No. 11: The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer, and,

Special Condition No. 4: The defendant shall comply with all federal, state, and local sex offender registration laws and provide verification of registration to the probation officer.

Andis was arrested in Mexico on December 14, 2007, by the U.S. Marshals Service in the Southern District of California.

According to a Los Angeles County Sheriff's Department Arrest Report, dated February 18, 2003, Andis failed to update his sex offender registration as required by California state law. The report alleges that Andis was evicted from his residence on February 4, 2003, and failed to re-register his new address within five working days as required by California state law. On February 20, 2003, Andis was arrested and taken into custody for a violation of Section 290(a)(1)(A) of the California Penal Code (PC), which requires the aforementioned registration. Andis was released from custody on February 20, 2003, pending filing of the charges by the Los Angeles County District Attorney's Office. Upon release, he was advised that he was still required to comply with registration requirements and re-register as a sex offender. To date, Andis has failed to comply with registration requirements. In addition, he failed to notify his Probation Officer within seventy-two hours of being arrested on February 20, 2003.

On February 21, 2003, the offender was contacted by the Detective Bureau of the Los Angeles, California Sheriff's Department. Andis was requested to return to the Sheriff's Station to update his sex offender registration as soon as possible. As previously indicated, Andis failed to do so.

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Condition No. 6: The defendant shall notify the probation officer ten days prior to any change in residence or employment.

According to the Los Angeles County, California Sheriff's Department police report, officers received information on February 5, 2003, that Andis had been evicted from the Sunny Skies Mobile Home Park where he had been residing with his mother and sister. Andis contacted the Sheriff's Department on February 19, 2003, and reported he had not been evicted until February 17, 2003, which is contrary to the information provided by the manager of the Mobile Home Park. As Andis' whereabouts were unknown for a period of at least ten working days, a warrant was issued for his arrest. Andis failed to notify his supervising probation officer of his change of residence.

Further, on March 4, 2003, Andis' mother, Iris Hatch, was contacted telephonically by the probation officer in the Central District of California. She advised that she had not heard from Andis since February 22, 2003, and had no knowledge of his whereabouts. She indicated that during her last contact with him he sounded depressed, told her he planned on leaving the area to seek employment in the Los Angeles area, and advised her that he had sold his vehicle to his nephew. She also indicated that he stated "I can't live like this, I can't get a job. It will never change. No one is ever going to hire me, I'm a felon. There is nothing up here for me. They're never going to leave me alone."

On March 4, 2003, the probation officer in the Central District of California conducted a residence visit to Andis' address of record, which was reported to the probation officer as a new residence on February 18, 2003. The address was that of a suite in a commercial business building, not a residential location. The building owner was contacted who advised that Andis had rented the location in mid-December for business purposes. The building owner indicated that he did not believe Andis was using the location as a residential location and advised he would not have allowed the location to be rented for residential purposes as the building is zoned for commercial use. The building owner reported that he had not seen Andis for the past two weeks and that Andis has failed to pay his rent for the month of March. Andis has failed to notify the probation officer ten days prior to any change of residence. He has also failed to notify the Probation Officer within seventy-two hours of any change in residence, as required by the standard conditions of supervision for the Central District of California. Andis' current whereabouts are unknown.

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U.S. Probation Officer Recommendation:

The term of supervision should be

- ☐ revoked.
☐ extended for years, for a total term of years.
☒ **To amend the original petition to include the additional violation conduct.**

☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 1/22/08

Approved,

by Stephanie M. Brown by Judy G. Holt
Stephanie M. Brown Judy G. Holt
Assistant Deputy Chief U.S. Probation Officer Supervising U.S. Probation Officer
Date: January 22, 2008

THE COURT ORDERS:

- ☐ No Action
☐ The Issuance of a Warrant
☐ The Issuance of a Summons Appearance Date & Time:
☒ The Petition to be Modified
☐ Other

Stephen A. Lambert
Signature of Judicial Officer
1/22/08
Date